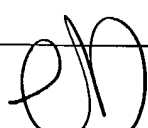


<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/675,464	VARRIALE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
Thomas M. Lithgow	1724		

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Int Summary 06-25-2004.
2. ☒ The allowed claim(s) is/are 24,25,29 and 48 renumbered 1-4.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

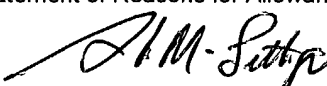
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|---|---|

  
 Thomas M. Lithgow  
 Primary Examiner  
 Art Unit: 1724

### **EXAMINER'S AMENDMENT**

1. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 25 June 2004, Mr. Thomas requested an extension of time for an additional month for a total of THREE MONTH(S) and authorized the Director to charge Deposit Account No. 50-2548 the required fee of \$530.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Claims:

Claim 24, line 9, change "first filtering step" to --filtering step--;

In the Specification:

Page 7, line 28, beginning at "BRIEF DESCRIPTION OF THE DRAWINGS" through Page 8, line 14 "...chamber)." is deleted.

Page 9, line 10, change "As shown in figure 1," to "The invention includes a first embodiment having--;

Page 9, lines 18-19, delete ", as demonstrated...flow";

Page 16, line 29 delete in its entirety;

Page 17, line 1, delete the entire line and insert therefor –  
Embodiments 2, 3 and 4 discloses different embodiments of the invention than the first embodiment. --;

Page 17, lines 27-28, delete ",as demonstrated...water flow";

Page 18, line 5, change "as demonstrated in Fig. 2, -- to –as disclosed in the second embodiment--;

Page 18, line 9, change "as disclosed in above with Fig. 1" to –as disclosed in the first embodiment--;

Page 18, line 11, change "as described above with Fig. 1" to –as disclosed in the first embodiment--;

Page 18, line 18, change "Fig. 3 is another" to –a third--;

Page 18, lines 27-29, delete "as demonstrated...flow";

Page 18, line 29, change "fig. 3" to –third embodiment--;

Page 19, line 11, change "Fig. 4 is an embodiment" to – A fourth embodiment--;

Page 19, line 12, change "Fig. 3" to –the third embodiment--;

Page 19, line 12 and 15, change "Fig. 4" to –the fourth embodiment--;

Page 19, lines 21-22, delete "as demonstrated...water flow";

Page 19, line 23, change "Fig. 3" to –third embodiment--;

Page 19, lines 24-25, change "embodiments of Fig. 1, Fig. 2, and Fig. 3" to –the first three embodiments--;

Page 19, line 28, change "embodiment of Fig. 4" to –fourth embodiment--;

Page 20, line 4, change "Fig. 2" to –the second embodiment--;

Page 20, lines 13-16, delete "similarly ... 2";

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Lithgow whose telephone number is 571-272-1162. The examiner can normally be reached on Mon. -Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blain Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas M. Lithgow  
Primary Examiner  
Art Unit 1724

TML